



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------|------------------|
| 09/993,072  | 11/13/2001  | Steven C. Halper     | 42666/28972             | 7208             |
| 21888   | 7590        | 07/13/2006           | EXAMINER                |                  |
| THOMPSON COBURN, LLP<br>ONE US BANK PLAZA<br>SUITE 3500<br>ST LOUIS, MO 63101 |             |                      | APPLE, KIRSTEN SACHWITZ |                  |
|   |             |                      | ART UNIT                | PAPER NUMBER     |
|   |             |                      | 3693                    |                  |

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/993,072 | <b>Applicant(s)</b><br>HALPER ET AL. |  |
|                              | <b>Examiner</b><br>Kirsten S. Apple  | <b>Art Unit</b><br>3628              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/04/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/1/02-2/26/02-8/1</u>  | 6) <input type="checkbox"/> Other: _____                                    |

## Detailed Action

This action is in response to the application filed on 11/13/2001.

### *Priority*

No claim for priority has been made in this application.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-36 are rejected under 35 U.S.C. 102(a) as being anticipated by Broadbent (US Patent 6,985,886).

**Re claim 1 & 9 & 17** Broadbent discloses:

*A predatory leading detection system (see Broadbent, title), comprising:*

*Means for receiving loan (a receiving mechanism) information pertaining to one or more loans (see Broadbent, figure 2, item 226)*

*Means for storing (a storage device) general loan information (see Broadbent, figure 2, item 223); and*

*Means for processing (a processor) the loan information for each loan to detect predatory lending without requiring knowledge of predatory leading laws on the part of a user of the system (see Broadbent, figure 2, item 207).*

**Re claim 2 & 10 & 18 & 23 & 30:** Broadbent discloses:

*The processing means comprising means for comparing the loan information for each loan to one or more of the predatory lending laws applicable (see Broadbent, figure*

Art Unit: 3628

*5, item 523, specifically item 531, 533, 541, 535 & 539) to the loan and to the general loan information to detect one or more variances there between, each variance having a certain degree, and mean for scoring each variance based upon the degree thereof to determine a risk category for each loan based on the sum of the scores for each detected variance associated therewith (see Broadbent, figure 5, item 550 and figure 4B, item 437, 438 & 440).*

**Re claim 3 & 11 & 19 & 24 & 31:** Broadbent discloses:

*Notifying a user of the system when one or more variances are detected (for fraud) (see Broadbent, figure 4B, item 238)*

**Re claim 4 & 12 & 20 & 25 & 32:** Broadbent discloses:

*Means for determining one or more steps needed to resolve each detected variance, and wherein the notification means further comprises notifying the user of each detected variance and the one or more steps needed to resolve it (see Broadbent, figure 4B, item 440).*

**Re claim 5 & 13 & 26 & 33:** Broadbent discloses:

*Means for tracking the status of each detected variance associated with each loan (see Broadbent, figure 4B, item 440)*

**Re claim 6 & 14 & 27 & 34:** Broadbent discloses:

*Predatory lending laws include at least one of a city, county and state law (see Broadbent, figure 5, item 531)*

*The loan information includes a city, county and state in which each loan is to be closed, and the processing means further comprises:*

Art Unit: 3628

*Means for identifying the city, county and state associated with each loan (see Broadbent, figure 5, item 501), and*

*Means for applying the predatory leading laws of the identified city, county and state to the loan information for each loan (see Broadbent, figure 5, item 531)*

**Re claim 7 & 15 & 21 & 36:** Broadbent discloses:

*System is web-enabled*

*(see Broadbent, figure 5 “xml”)*

**Re claim 8 & 16 & 28 & 36:** Broadbent discloses:

*Processing means further comprises means for detecting fraud in connection with the loan based on the detected variances (see Broadbent, figure 5, item 523)*

**Re claim 22 & 29:** Broadbent discloses:

*A computer-readable medium, steps of:*

*Receiving information pertaining to the one or more loans (see Broadbent, figure 2, item 226)*

*Storing general loan information (see Broadbent, figure 2, item 223)*

*Comparing the information for each loan to a plurality of leading laws and to the general loan information to detect one or more variances there between, each variance having a certain degree (see Broadbent, figure 5, item 523); and*

*Scoring each variance based upon the degree thereof, whereby knowledge of the predatory lending laws on behalf of a user of the system is not required (see Broadbent, figure 5, item 550)*

### **Conclusion**

Art Unit: 3628

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Broadbent, Published Patent No US 2001/0047326, discloses mortgage loan originator compliance engine.

Toscano, Published Patent No. US 2002/0052835, teaches on-line loan processing.

Ryan, US Patent 5,673,402, teaches mortgage computer system.

Katz, US Patent 6,993,505, teaches lending and analysis system.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

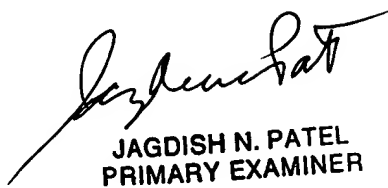
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/993,072

Page 6

Art Unit: 3628

ksa



JAGDISH N. PATEL  
PRIMARY EXAMINER